PARTICIPATION FOR FULLING

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IN RE: PETITION FOR ADMINISTRATIVE

ZONING VARIANCE

N/S Roslyn Avenue, 192.70 ft.

+/- of the c/l Seling Avenue

8058 Roslyn Avenue 14th Election District 7th Councilmanic District Frank C. Cole, et ux

Petitioners

\* BEFORE THE

ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

Case No. 99-223-A

\* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Frank C. Cole and Jeannette V. Cole, his wife, for that property known as 8058 Roslyn Avenue, in the Rosedale subdivision of Baltimore County. The Petitioners herein seek a variance from Section 301.1A of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 0 ft., in lieu of the minimum required 7-1/2 ft., in a D.R.5.5 zone, for a carport. The subject property and requested relief is more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of January 1999 that the Petition for a Zoning Variance from Section 301.1A of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 0 ft., in lieu of the minimum required 7-1/2 ft., in a D.R.5.5 zone, for a carport, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- The carport shall remain open on the three exposed sides and shall not be enclosed at any time.
- 3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

LES:mmn



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

January 5, 1999

Mr. and Mrs. Frank C. Cole 8058 Roslyn Avenue Baltimore, Maryland 21237

RE: Petition for Administrative Variance

Case No. 99-223-A

Property: 8058 Roslyn Avenue

Dear Mr. and Mrs. Cole:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.



## Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at 8058 ROSLYN	AVE 21237
which is presently zoned	D.R. 5.5
-	

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

Yard set back of zero ft, in lieu of the required 7.5 ft,

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			perjury, that I/we ar is the subject of this	eclare and attirm, under the the legal owner(s) of the s Petition.	e penalties of property which
Contract Purchaser	r/Lessee:		<u>Legal Owner(s</u>	<u>):</u>	
			FRANK	C Cole	
Name - Type or Print			Name Type or Print	0 Pl	
Signatur <del>e</del>		and the state of t	Signature Jehnnett	te V Cole	
Address		Telephone No.	Name - Type or Print	the Cole	
City	State	Zip Code	Signature		RED -
Attorney For Petition	oner:		X058 Ros	slyn AVE 410	0-866-8099 Telephone No.
			BALTO, Co	, M (s	2/237
Name - Type or Print			City	State	Zip Code
			Representative	e to be Contacted:	
Signature		, ,			
Company		* .	Name		
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having be this day of regulations of Baltimore Cou	,th	at the subject matter of t	required, it is ordered by this petition be set for a pub	the Zoning Commissioner of lic hearing, advertised, as req	f Baltimore County, uired by the zoning
-				2	
			Zoning Con	missioner of Baltimore Count	у
CASE NO9	19-223- A	Rev	riewed By <u>BR</u>	Date	0/98
R2V 9115198		Est	rimated Posting Date	12/13/98	

# idavit in Support of Administrative Variance

3 Capy

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

	That the Affiant(s) does/do presently reside at	8058 Address	Roslyn	AVE.	
			S. Co.	MD	2/237
		City		State	Žip Code
	That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the failing or practical of	acts upon which fifficulty):	l/we base the	e request for an Administrative
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1	STATE OF MARYLAND, COUNTY OF BALTIN	•			
	of Maryland, in and for the County aforesaid, per	EMBER	. 199	8 , before m	e, a Notary Public of the State
		rsonally appear	ed	<del></del>	, ,
	FRANK C. COLE AND DE	ANNIFTE	V. Bus		
	the Affiant(s) herein, personally known or satisf	actorily identific	ed to me as su	ch Affiant(s)	and made oath in due form of
•	law that the matters and facts hereinabove set for	orth are true an	d correct to the	best of his/he	their knewledge and belief.
	AS WITNESS my hand and Notarial Seal		1	////	
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	11/23/98		1/1/2		
	Date	Notac	v Fublic	1/5	
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	•	My Co	ommission Expi	res <i>01-01</i>	-01

CHARNEY L. HARRIS JR. NOTARY PUBLIC STATE OF MARYLAND My Commission Expires

# Affidavit in Support of Administrative Variance

follows: That the information herein given is competent to testify thereto in the event that a p	within the per	sonal knowled	no of the Affici	atic) and that Affiantic) inlare
That the Affiant(s) does/do presently reside at		Roslyn	•	
	BALT	o. Co.	MD	2/237 Zip Code
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature  FRANK C. COLE  Name - Type or Print	rmal demand additional inforn	Signature	ette V. Col	V. Cole
STATE OF MARYLAND, COUNTY OF BALTIM	SMBEN			, a Notary Public of the State
of Maryland, in and for the County aforesaid, per	sonally appear ANNETTE	ed V. /3 4 5		
the Affiant(s) herein, personally known or satisfi law that the matters and facts hereinabove set for	actorily identifie	ed to me as su i correct to the	ich Affiant(s), ai best of his/her/	nd made oath in due form of their knewledge and belief.
AS WITNESS my hand and Notarial Seal		1/1		
Date	Notar	Public ?		
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CHARNEY L HARRIS JR. NOTARY PUBLIC STATE OF MARYLAND My Commission Exoires



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

MOYLAND				
	for the propert	y located at <u>8058 /</u>		
		which is prese	ntly zoned	R. 5.5
This Petition shall be filed with the Depowner(s) of the property situate in Baltimo made a part hereof, hereby petition for a V	re County and Whi	ch is described in the des	cription and plat atta	ached hereto an
made a part hereof, hereby petition for a v	ft. in	lien of the	required	a side
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of the zoning regulations of Baltimore Cou of this petition form.	nty, to the zoning I	aw of Baltimore County, fo	or the reasons indic	ated on the bac
Property is to be posted and advertised as I, or we, agree to pay expenses of above Varia regulations and restrictions of Baltimore County	ance advertising no	sting etc. and further agree.	to and are to be boun re County.	ided by the zoninį
		I/We do solemnly decla perjury, that I/we are th is the subject of this Pe	e legal owner(s) of the	ne penalties of property which
Contract Purchaser/Lessee:		Legal Owner(s):	_	
Name - Type or Print		Name Type or Print	en Cole	
Signature		Signature  JEANNETTE	V CoLE	
Address	Telephone No.	Name - Type or Print	ter, Cole	
City State	Zip Code	Signature	RET	IRED -
Attorney For Petitioner:		Address	IN AVE 41	0-866-8099 Telephone No.
Name - Type or Print		BALTO. Co	// D State	2/237 Zip Code
Signature		Representative to	be Contacted:	
Company				
Company	•	Name	•	•
Address	Telephone No.	Address		Telephone No.
City State	Zip Code	City	State	Zip Code
A Public Hearing having been formally demander this day of that regulations of Baltimore County and that the property	the subject matter of th	required, it is ordered by the is petition be set for a public he	Zoning Commissioner o earing, advertised, as req	f Baltimore County, juired by the zoning
		Zoning Commiss	ioner of Baltimore Count	ty
CASE NO. <u>99-223-A</u>	Revi	ewed By BR	Date	e 198
REV 9[15]98	Esti	mated Posting Date	12/13/98	, = = = = = =

ZONE DESCRIPTION FOR 80	58 ROSLYN AVE
BEGINNING AT A POINT ON THE NORTH.	SIDE OF
ROSLYN AVE. Which IS 50 FEET WIDE	AT The DISTANCE OF
192.70 WEST OF The & SELING AVE. Which	LIS 33 FEET WIDE
BEING LOT# 15 BLOCK SECTION	IN THE SUBDIVISION
OF ROSEDALE AS RECORDED IN BALTO.	Co. PLAT BOOK # 09
FOLIO# 052 CONTAINING 9,900 Sq. FEET	ALSO KNOWN AS
8058 ROSLYN AVE. AND LOCATED IN TH	E 7 COUNCIL MANIC
DISTRICT	
BALTIMORE COUNTY, MARYLA  OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT  DATE    1   3   13   ACCOUNT	
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94-223-A

ZONING REVIEW

### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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						Roslyh	
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Filing	Date:	11/30/98	Post	ing Date: 👍	2/13/98	Closing Date	: <u>12/28/98</u>
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2.	a formal re	: The closing equest for a paper in a public hearing a pu	oublic hearing	. Please un	derstand that	owner within 1,0 t even if there osing date.	000 feet to file is no formal
3.	commission order that (typically w	ner. He may: the matter be ithin 7 to 10 da	a) grant the set in for a ays of the clos	e requested re public heari sing date) as	elief; (b) den ng. You wil to whether th	he zoning or d y the requested I receive writte he petition has b u by First Class	relief; or (c) in notification been granted,
4.	(whether d commission changed gi	ue to a neigh ner), notification ving notice of	nbor's formal on will be for the hearing da	request or by warded to you ate, time and	y order of thou. The signocation. As	t must go to a page to a page to a page of the proper when the sign wast be	eputy zoning erty must be was originally
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·			- -	-			
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						WCR -	Revised 7/2/98



Baltimore County
Department of Permits and
Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

#### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

		ARNOLD	JABLON,	DIRECTOR
For newspaper advertising:	7-6-7-6-5-6-6-6-6-6-6-6-6-6-6-6-6-6-6-6-			
Item No.: 223	-			
Petitioner: FRANK C Cole				
Location: 8058 Roslyn Ave	•	1237		
PLEASE FORWARD ADVERTISING	BILL TO:	-		
NAME: FRANK C Cole	· · -			
ADDRESS: 8058 ROSLYN	AVE. BA	Ito. Co	. 190	21237
PHONE NUMBER: 4/0-866-80	099			
			<del></del>	
AJ:aas				

99-223-A

(Revised 09/24/96)



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

December 11, 1998

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 14, 1998

Item No.: See Below Zoning Agenda:

#### Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:



REVIEWER: LT. HERB TAYLOR

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Closing 12/28/98

# DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Permits and Development Management

DATE: 423/92

FROM:

R. Bruce Seeley, Project Manager AM

**Development Coordination** 

**DEPRM** 

SUBJECT:

Zoning Advisory Committee

Distribution Meeting Date:

The Department of Environmental Protection and Resource Management has **no comments** for the following Zoning Advisory Committee Items:

Item #'s: 222 231
225
226
227
227
227
227
231
233
234

Close 12/28/98

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: December 24, 1998

Department of Permits & Development

Management

FROM: R

Robert W. Bowling, Supervisor Bureau of Developer's Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for December 23, 1998

Item Nos. 222, 223, 224, 225, 226, 227, 228, 229, 231, 232, 233, 234,

and 235

AND

Revised Petitions and Plats for Case #99-159-XA (8101 Bellona Avenue)

The Bureau of Developer's Plans Review has reviewed the subject zoning items and revised petitions and plats, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: December 24, 1998

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Developer's Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for December 23, 1998

Item Nos. 222, 223, 224, 225, 226, 227, 228, 229, 231, 232, 233, 234,

and 235

AND

Revised Petitions and Plats for

Case #99-159-XA (8101 Bellona Avenue)

The Bureau of Developer's Plans Review has reviewed the subject zoning items and revised petitions and plats, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: December 15, 1998

TO: Arnold Jablon, Director

Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: **Zoning Advisory Petitions** 

The Office of Planning has no comment on the following petition (s):

Item No (s): 218, 220, 223, 224, 225, 226, 227, 228, 231, and 232

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL



Partis N. Glendening Governor David L. Winstead Secretary Parker F. Williams

Administrator

Date: 12.11.91

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 223 (BR)

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

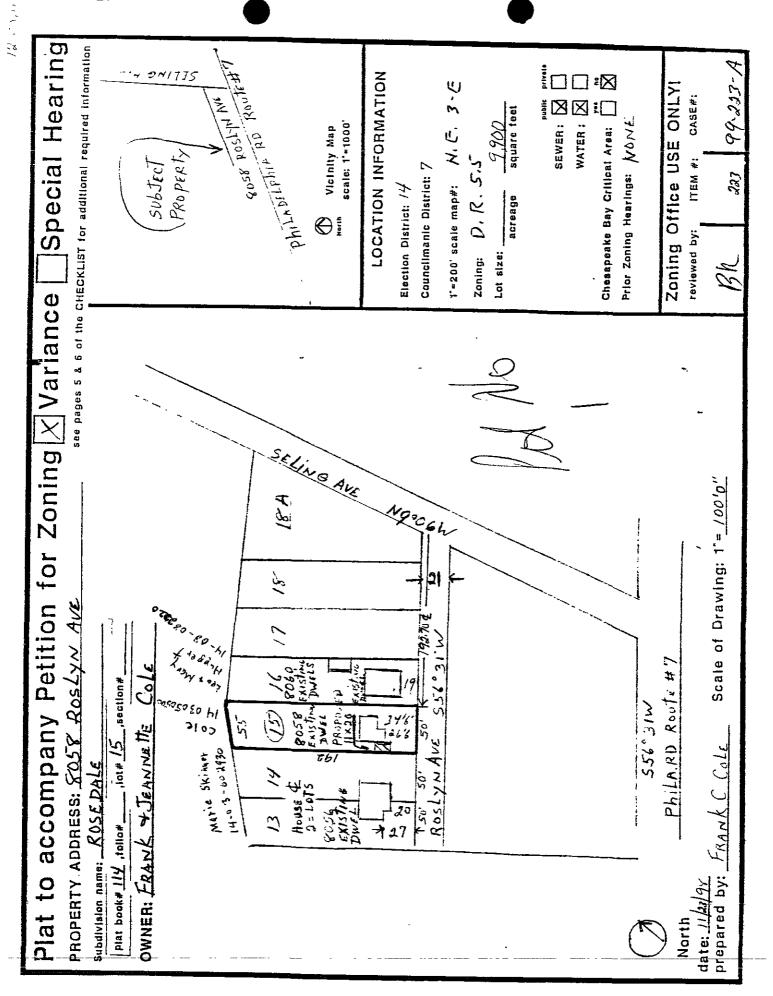
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

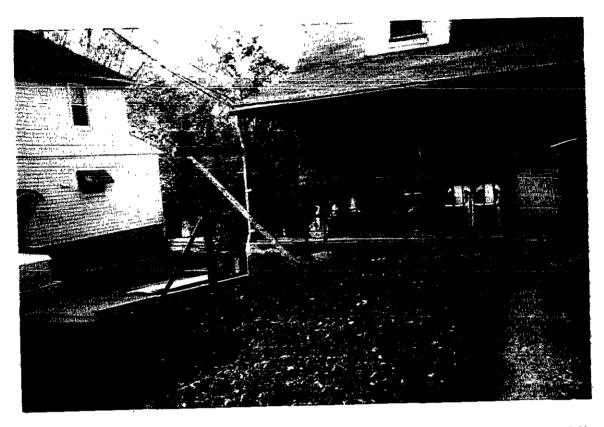
Very truly yours,

1. J. Gredh

Michael M. Lenhart, Acting Chief Engineering Access Permits Division











BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

ROSE

PHOT(

EPARED BY AIR PHOTOGRAPHICS, INC. IRTINSBURG, W.V. 25401